

STATE OF NEW YORK : COUNTY OF ULSTER

TOWN OF MARLBOROUGH ZONING BOARD

-----X

In the Matter of

MICHAEL DIVIESTI - PUBLIC HEARING

6-8 DiViesti Road  
Marlboro, New York 12542  
SBL #108.4-7-14

-----X

DATE: May 9, 2024

TIME: 6:00 P.M.

PLACE: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, New York 12547

BOARD MEMBERS:

LENNY CONN, CHAIRMAN  
JEFF MEKEEL  
GEORGE SALINOVICH  
ANDREW NIKOLA  
LARRY BARTOLOTTI

ALSO PRESENT:

JEN FLYNN, Zoning Board  
Secretary

JONATHAN MILLEN, Surveyor  
MICHAEL DIVIESTI, Applicant

-----X

LISA MARIE ROSSO  
140 Mahoney Road  
Milton, New York 12547  
(845) 674-3937

LISA MARIE ROSSO - (845) 674-3937

1 MICHAEL DIVIESTI- PUBLIC HEARING

2 CHAIRMAN CONN: Let's stand for  
3 the pledge.

4 (Pledge of Allegiance.)

5 CHAIRMAN CONN: Did we check the  
6 minutes from the last meeting; any  
7 questions from the minutes from the  
8 last meeting?

9 MR. MEKEEL: No.

10 MR. BARTOLOTTI: No.

11 MR. NIKOLA: No.

12 MR. SALINOVICH: No.

13 CHAIRMAN CONN: Somebody make a  
14 motion to approve?

15 MR. BARTOLOTTI: I make a motion  
16 to accept the April minutes of the  
17 meeting.

18 CHAIRMAN CONN: Second?

19 MR. MEKEEL: I will second.

20 CHAIRMAN CONN: All in favor?

21 MR. MEKEEL: Aye.

22 MR. BARTOLOTTI: Aye.

23 MR. NIKOLA: Aye.

24 MR. SALINOVICH: Aye.

25 CHAIRMAN CONN: Good, so moved.

1 MICHAEL DIVIESTI- PUBLIC HEARING

2 First, we have a public hearing for

3 Michael DiViesti, subdivision.

4 Everybody aware of what we need to do?

5 Did we get the green cards, the

6 certified cards?

7 MR. MILLEN: Here you go

8 handing).

9 MS. FLYNN: How many came out and  
10 how many came back?

11 CHAIRMAN CONN: Somebody want to  
12 read the legal notice?

13 MR. NIKOLA: Town of Marlborough  
14 Zoning Board of Appeals legal notice.  
15 Please take notice that a public hearing  
16 will be held by the Town of Marlborough  
17 Zoning Board of Appeals, further known  
18 as the ZBA at the town hall, 21 Milton  
19 Turnpike, Milton, New York, on May 9th,  
20 2024, at 6:00 P.M. or soon thereafter  
21 as may be heard. Owner applicant,  
22 Michael DiViesti, 6-8 DiViesti Road,  
23 Marlboro, New York 12542, is seeking  
24 relief from Town of Marlborough Code  
25 155, Attachment 2, Schedule 1, by way

1 MICHAEL DIVIESTI- PUBLIC HEARING  
2 of a 13.4-feet front yard setback area  
3 variance on Lot A and 6.3-foot variance  
4 on Lot B minimum lot width. Tax  
5 parcel: Section 108.4. Block 7. Lot  
6 14. Any interested parties, either for  
7 or against this application will have  
8 the opportunity to be heard at this  
9 time. Lenny Conn, Chairman, Town of  
10 Marlborough Zoning Board of Appeals.  
11 Thank you.

12 MS. FLYNN: Can I go first?

13 CHAIRMAN CONN: Yes.

14 MS. FLYNN: Do you have the other  
15 green ones as well?

16 MR. MILLEN: No. I am not certain  
17 there were other green ones as well.

18 MS. FLYNN: You have to send them  
19 out certified return receipt.

20 MR. MILLEN: Right.

21 MS. FLYNN: So, you should have  
22 the light green ones.

23 MR. MILLEN: The little green  
24 paper ones you mean?

25 MS. FLYNN: Yes. And this is when

1           MICHAEL DIVIESTI- PUBLIC HEARING  
2           they mailed them back. Some of these  
3           are stamped and some of these aren't  
4           stamped.

5           MR. MILLEN: So, those are all of  
6           the ones that came back in the mail.

7           MS. FLYNN: Okay. So, I have that  
8           33 were supposed to go out, and this is  
9           only 22.

10          MR. MILLEN: Okay, I'm sorry. I  
11          don't know.

12          MS. FLYNN: I am just letting you  
13          know.

14          MR. MILLEN: I know we mailed them  
15          all out. I'm not certain.

16          MS. FLYNN: I would need how many  
17          you mailed out. So I would need the  
18          light green ones as well.

19          MR. MILLEN: If you gave us --  
20          we'll have to bring those back. But if  
21          you gave us 33, then we mailed out 33.

22          MS. FLYNN: That is for you to  
23          accept or not to accept, I don't know.

24          MR. SALINOVICH: I don't have a  
25          problem with it.

1 MICHAEL DIVIESTI- PUBLIC HEARING

2 CHAIRMAN CONN: Everybody all  
3 right with it?

4 MR. MEKEEL: Yes.

5 MR. BARTOLOTTI: Yes.

6 MR. NIKOLA: Yes.

7 CHAIRMAN CONN: We're good.

8 MR. MILLEN: All right.

9 CHAIRMAN CONN: Give us a short  
10 story of what you're looking to do,  
11 remind us.

12 MR. MILLEN: Okay. Essentially,  
13 we were looking to create two lots out  
14 of one lot. There was a total of two  
15 acres before, and they would be two  
16 one-acre lots. There are the variances  
17 which we requested. There is really  
18 not much else to say, other than there  
19 is an easement that runs through the  
20 property that we're looking to have  
21 vacated, because the -- it's causing  
22 quite a bit of, I guess, loss of  
23 privacy and access by having it fall  
24 through those two lots now. And  
25 they're certainly easily to have access

1           MICHAEL DIVIESTI- PUBLIC HEARING  
2           from DiViesti Drive to service that  
3           lot.

4           CHAIRMAN CONN: Any questions?

5           MR. MEKEEL: I do not.

6           MR. NIKOLA: No questions.

7           MR. BARTOLOTTI: No.

8           MR. SALINOVICH: No.

9           CHAIRMAN CONN: Open the public  
10          hearing to anybody that wants comment.

11          (No audible response.)

12          CHAIRMAN CONN: Any discussions?

13          MR. MEKEEL: No.

14          MR. BARTOLOTTI: No.

15          MR. NIKOLA: No.

16          MR. SALINOVICH: No.

17          MR. MEKEEL: I'll make a motion  
18          that we close the public hearing.

19          MR. SALINOVICH: Second.

20          CHAIRMAN CONN: All in favor?

21          MR. MEKEEL: Aye.

22          MR. BARTOLOTTI: Aye.

23          MR. NIKOLA: Aye.

24          MR. SALINOVICH: Aye.

25          CHAIRMAN CONN: Public hearing now

1 MICHAEL DIVIESTI- PUBLIC HEARING  
2 closed.

3 MR. SALINOVICH: Where did we say  
4 was the front yard; DiViesti Drive?

5 MR. MEKEEL: Yes.

6 CHAIRMAN CONN: Good?

7 MR. BARTOLOTTI: I am good.

8 MR. NIKOLA: I'm good.

9 MR. MEKEEL: I'm good.

10 MR. SALINOVICH: Good.

11 CHAIRMAN CONN: Somebody want to  
12 make a motion to approve the variances?

13 MR. SALINOVICH: I make a motion  
14 to approve the variances.

15 MR. BARTOLOTTI: I second.

16 CHAIRMAN CONN: All in favor?

17 MR. MEKEEL: Aye.

18 MR. BARTOLOTTI: Aye.

19 MR. NIKOLA: Aye.

20 MR. SALINOVICH: Aye.

21 CHAIRMAN CONN: Aye.

22 MS. FLYNN: So, are the variances  
23 correct that are on that letter?

24 CHAIRMAN CONN: There is a 35-foot  
25 front yard setback required, 21.6 feet



1           MICHAEL DIVIESTI- PUBLIC HEARING  
2           is provided, which leaves 13.4-feet for  
3           the variances. And the rear is short  
4           by 6.3-feet, 35 feet is required, and  
5           34.6 is provided. The Board has agreed  
6           to approve both variances.

7           MS. FLYNN: Okay, thank you.

8           MR. MILLEN: All right. So, now  
9           will this be referred back to the  
10          planning board?

11          CHAIRMAN CONN: Yes.

12          MR. MILLEN: It would be the next  
13          planning board meeting?

14          CHAIRMAN CONN: Yes.

15          MR. MILLEN: All right. Other  
16          than that, we're finished?

17          CHAIRMAN CONN: Yes.

18          MR. NIKOLA: With us, at least.

19          MR. MILLEN: Thank you so much,  
20          appreciate your time.

21                 (Whereupon, at 6:07 P.M., the  
22          Hearing was concluded.)

23

24                         °       °       °       °

25

## MICHAEL DIVIESTI- PUBLIC HEARING

## C E R T I F I C A T E

STATE OF NEW YORK                    )  
  : SS.:  
COUNTY OF ULSTER                    )

I, LISA M. ROSSO, a Notary Public for  
and within the State of New York, do hereby  
certify:

That I was authorized to and did  
stenographically report the foregoing  
proceedings, and that the transcript is a  
true record.

I further certify that I am not related  
to any of the parties to this action by  
blood or by marriage and that I am in no way  
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set  
my hand this 14th day of May 2024.

---

LISA M. ROSSO

1                   MICHAEL DIVIESTI- PUBLIC HEARING  
2                   STATE OF NEW YORK : COUNTY OF ULSTER  
3                   TOWN OF MARLBOROUGH ZONING BOARD  
4                   -----X

5                   In the Matter of  
6                   JOHN MAZZA - CONTINUED WORKSHOP

7                   2 Dragotta Road  
8                   Marlboro, New York 12542  
9                   SBL #108.4-6-5.1,5.2  
10                  -----X

11                                 DATE: May 9, 2024  
12                                 TIME: 6:07 P.M.  
13                                 PLACE: Town of Marlborough  
14   Town Hall  
15   21 Milton Turnpike  
16   Milton, New York 12547

17                   BOARD MEMBERS:

18                                 LENNY CONN, CHAIRMAN  
19                                 JEFF MEKEEL  
20                                 GEORGE SALINOVICH  
21                                 ANDREW NIKOLA  
22                                 LARRY BARTOLOTTI

23                   ALSO PRESENT:

24                                 CARMEN MESSINA  
25                                 JOHN MAZZA  
26                                 JEN FLYNN, Zoning Board  
27                                 Secretary

28                   -----X  
29                                 LISA MARIE ROSSO  
30                                 140 Mahoney Road  
31                                 Milton, New York 12547  
32                                 (845) 674-3937

LISA MARIE ROSSO - (845) 674-3937

1 JOHN MAZZA - WORKSHOP

2 CHAIRMAN CONN: Now we still have  
3 a continuing workshop for John Mazza.  
4 Any update from the Town?

5 MR. MESSINA: For the record, my  
6 name is Carmen Messina. I'm the  
7 surveyor for the project. This is John  
8 Mazza. He is the owner and applicant.  
9 He has been working with Scott Corcoran  
10 about the -- to resolve that problem  
11 with the garage, and he can update you  
12 on that.

13 MR. MAZZA: The Town offered an  
14 agreement. I took it to counsel just  
15 for a look, made a couple of little  
16 minor adjustments and brought it back  
17 to the supervisor earlier this week.  
18 He read it over and felt that it was  
19 good, but he needed to take it to the  
20 Town for their concurrence. But he  
21 felt good about it. I have a copy --  
22 if you would like a copy of the --  
23 preliminary copy, but it's not a signed  
24 copy.

25 MS. FLYNN: I have a copy of the

1 JOHN MAZZA - WORKSHOP

2 preliminary.

3 CHAIRMAN CONN: We can look at it,  
4 but there is not much we can do without  
5 everyone signing off on it.

6 MR. SALINOVICH: Just keeps us up  
7 to date.

8 CHAIRMAN CONN: What did they --  
9 what were they talking about? What did  
10 you agree to?

11 MR. MAZZA: Basically, that I  
12 would maintain the building if it was  
13 in default or in some disrepair, that I  
14 would make the repair within a certain  
15 period of time. I have permission to  
16 actually work on the building from the  
17 Town's space because it's technically  
18 on an easement, and they agreed that it  
19 could remain in perpetuity as long as I  
20 maintained it where it's safe, and --

21 MR. BARTOLOTTI: You're  
22 responsible?

23 MR. MAZZA: I'm responsible for  
24 it. I hold harmless the Town, yes.

25 MR. BARTOLOTTI: Okay.

1 JOHN MAZZA - WORKSHOP

2 CHAIRMAN CONN: So they're saying,  
3 even though it expands past the  
4 property line or highway boundary,  
5 you're responsible for the entire  
6 structure?

7 MR. MAZZA: I'm responsible for it  
8 regardless, but yes.

9 MR. MESSINA: I would think that  
10 they were concerned about people  
11 running into the garage. It was beyond  
12 the highway boundary. And so he was  
13 holding the Town harmless if that  
14 happened; he would be the one  
15 responsible for that.

16 MR. MEKEEL: And Mr. Corcoran did  
17 agree to this verbally?

18 MR. MAZZA: We shook hands on it,  
19 he said it looks good, I don't see any  
20 problem with it. He said you have to  
21 bring it to the Town officially, and  
22 that's why I left it with him. That  
23 was Wednesday.

24 MR. MEKEEL: When will they bring  
25 it in front of the Town?

1 JOHN MAZZA - WORKSHOP

2 MR. MAZZA: Monday.

3 MR. MEKEEL: Monday's meeting?

4 MR. MAZZA: Yes. I believe it's  
5 this next Monday; right?

6 MR. MESSINA: I don't know.

7 MR. MAZZA: He mentioned at  
8 Monday's meeting so I just took it for  
9 that.

10 MR. MEKEEL: Jen, when do they do  
11 their meetings?

12 MS. FLYNN: The 2nd and the 4th.  
13 The planning is the 1st and the 3rd so  
14 they do have a meeting this Monday.

15 MR. MEKEEL: Okay.

16 MS. FLYNN: I don't know if the  
17 agenda is out yet. I don't know if  
18 he's on that agenda. I didn't see it  
19 on the website earlier today.

20 MR. MEKEEL: Okay.

21 MR. MESSINA: Just to clarify, the  
22 Town had drafted the original agreement  
23 what they wanted and John Mazza, he  
24 looked at it and he wanted to make some  
25 corrections and he did and the

1 JOHN MAZZA - WORKSHOP

2 supervisor --

3 MR. MAZZA: He read it in full and  
4 he said, yeah, I see what you're  
5 saying, we just cleared a couple of  
6 points up.

7 MR. MEKEEL: Off the record.

8 (Whereupon, an off-the-record  
9 discussion was held.)

10 CHAIRMAN CONN: I want to get some  
11 clarification. How do you grant a  
12 variance when it's over the property  
13 line?

14 MR. SALINOVICH: I know.

15 CHAIRMAN CONN: There is zero  
16 variance, but now we're talking about  
17 negative variance.

18 MR. BARTOLOTTI: Is this something  
19 that we even get involved in? Because  
20 this is something like --

21 MR. SALINOVICH: Legal?

22 CHAIRMAN CONN: That is what I  
23 want to talk about Scott and the Town  
24 attorney.

25 MR. BARTOLOTTI: The Town



1 JOHN MAZZA - WORKSHOP

2 attorney.

3 CHAIRMAN CONN: Is this something  
4 that needs a variance?

5 MR. NIKOLA: -- a variance at all,  
6 because it's Town property.

7 MR. BARTOLOTTI: Wouldn't it  
8 almost have to be the Town would need  
9 to give them that piece of property?  
10 You dealt with this more than we have.

11 MR. MESSINA: When I found out  
12 about this problem, I went to them and  
13 I said, because I worked for the  
14 Department of Transportation, and we  
15 had people in the right-a-way mapping  
16 division and we determined highway  
17 boundaries, and when we found people's  
18 buildings, porches over the line, we  
19 had two choices. We would either have  
20 to take it from them, pay them, or what  
21 we normally did was we would quit  
22 claim, in other words, sell them that  
23 portion that their building was over  
24 the line, and that way it was beyond  
25 his property, and it wouldn't be -- and

1 JOHN MAZZA - WORKSHOP

2 then it would be --

3 MR. BARTOLOTTI: Then we can give  
4 him a variance for six inches. It's  
5 cleaner that way.

6 MR. MESSINA: The Town chose to go  
7 this way with it, not wanting the  
8 liability, and they divest themselves  
9 of the liability.

10 MR. BARTOLOTTI: It's less of a  
11 liability to do it the other way.

12 CHAIRMAN CONN: I just want to get  
13 some clarification from Tommy or our  
14 Town attorney.

15 MR. MAZZA: I believe the Town  
16 attorney is who drafted the agreement.

17 MR. MESSINA: But he is saying he  
18 doesn't know how he's going to --

19 MR. BARTOLOTTI: Yeah, how we're  
20 going to grant a variance onto someone  
21 else's property?

22 MR. MAZZA: I understand.

23 CHAIRMAN CONN: And it's not just  
24 you. It's any other case that may come  
25 before us where this becomes a

1 JOHN MAZZA - WORKSHOP

2 precedent because there have been cases  
3 that several of us have been involved  
4 in where somebody built a deck and  
5 built it over on the neighbor's  
6 property, and then they want to  
7 subdivide the property or sell it, and  
8 we actually made them take that portion  
9 of the deck down to be able to give  
10 them a variance for the property line.

11 MR. BARTOLOTTI: This will avoid a  
12 problem for you ten years from now if  
13 you want to sell the place or do  
14 something, you know.

15 CHAIRMAN CONN: Was that garage  
16 there before the road?

17 MR. MAZZA: Yes.

18 MR. SALINOVICH: So it's the  
19 Town's fault your property is on  
20 theirs.

21 MR. MESSINA: I have the -- the  
22 original building was there prior to  
23 the road. I have the map that shows  
24 the dedication from Mr. Dragotta to the  
25 Town, 1962, and it shows that the

1 JOHN MAZZA - WORKSHOP

2 building --

3 CHAIRMAN CONN: When I asked the  
4 question a few weeks ago, was it the  
5 chicken or the egg, and nobody knew  
6 then, you know what happened first.  
7 Was it the road, was it the building,  
8 was it the boundary.

9 MR. MESSINA: I think I missed  
10 that meeting.

11 MR. SALINOVICH: This was just a  
12 farm road back then.

13 MR. MESSINA: Yeah, I don't know  
14 if it was even anything, but when they  
15 started subdividing, Dragotta --

16 MR. MEKEEL: Is this a turkey  
17 coop?

18 MR. MAZZA: It's my house.

19 MR. SALINOVICH: Is it gone?

20 MR. MAZZA: Where I live right now  
21 was the slaughter house.

22 MR. MEKEEL: We're up on the road.

23 MR. SALINOVICH: We're talking  
24 back further.

25 MR. MAZZA: Oh, that is no longer

1 JOHN MAZZA - WORKSHOP

2 there.

3 MR. MESSINA: So, we didn't have  
4 any idea that this would be a problem  
5 because they accepted the road that  
6 way, we had done subdivisions to this  
7 piece of property and it shows -- the  
8 map shows it over the line.

9 CHAIRMAN CONN: Scott has seen  
10 this and the attorneys have seen this.

11 MR. MESSINA: Well, I don't know.  
12 Obviously, they seen our map and we --  
13 I think we explained to them that it  
14 had been there when they accepted the  
15 road, the deeds for that road that was  
16 given to the Town state that. In fact,  
17 there was a big -- you see there was a  
18 house, and they made a provision when  
19 that house was demolished and the road  
20 continues straight and that  
21 right-of-way around it would be  
22 eliminated.

23 CHAIRMAN CONN: I need more  
24 clarification on -- to save you  
25 problems down the road, to save us

1 JOHN MAZZA - WORKSHOP

2 problems down the road, with precedent  
3 or things like that, I just want to be  
4 clear on how we're doing this.

5 MR. MESSINA: This has been -- we  
6 need your guidance also on other  
7 matters, and I could bring them up. We  
8 have another project there before the  
9 planning board that has the same  
10 situation on the corner lot, and we  
11 went there initially --

12 MR. MEKEEL: Is this off the  
13 record, this part of it?

14 MR. MESSINA: It could be.

15 MR. MEKEEL: Yes, off the record.

16 (Whereupon, an off-the-record  
17 discussion was held.)

18 CHAIRMAN CONN: We're going to  
19 agree to keep the Mazza workshop open  
20 for another month and get some final --  
21 some clarification from the Town on the  
22 letter and agreement that is pending.

23 MR. MAZZA: If everybody says that  
24 the agreement is okay, are you then  
25 okay to grant variances and do what we

1 JOHN MAZZA - WORKSHOP

2 need to do? Because the Town attorney  
3 drafted that agreement, so I believe he  
4 knows the levity of what he has done  
5 because he did it per meeting with a  
6 number of people, the road  
7 superintendent, you know, the super of  
8 the -- so a lot of people were involved  
9 already.

10 CHAIRMAN CONN: I was involved in  
11 that meeting, but the other variances  
12 that your application had wasn't part  
13 of that meeting or discussed. It was  
14 just the garage exceeding the boundary.

15 MR. MAZZA: Okay.

16 MR. MEKEEL: Right.

17 CHAIRMAN CONN: So, the other  
18 things were left up to us to decide.  
19 This was more of a -- much more of a  
20 legal issue then we've ever been  
21 involved in, and that is why all of  
22 those other people --

23 MR. MAZZA: I didn't realize that.  
24 Because I thought the initial piece  
25 that Tom had brought for me was about

1 JOHN MAZZA - WORKSHOP

2 all of the variances. And at that  
3 meeting was when it was questioned that  
4 the question garage is into the  
5 easement, so I thought that was  
6 understood, because I thought that was  
7 the initial request. I didn't know,  
8 now I do, that there is more to that.

9 CHAIRMAN CONN: At the first  
10 meeting where Carmen represented you,  
11 we didn't get into your initial  
12 variances, not that they're excessive  
13 or something hasn't been done like that  
14 before that we've looked at, but we  
15 never even addressed it because the  
16 garage took a much higher precedence,  
17 and we couldn't move any further and  
18 weren't comfortable moving any further  
19 until we got clarification on what the  
20 Town and you were going do to do with  
21 the garage and boundary line.

22 MR. MEKEEL: Correct.

23 MR. MAZZA: If you are checking  
24 with counsel or Town or however it  
25 goes, and it is suggested that perhaps



1 JOHN MAZZA - WORKSHOP

2 that it either a lot line change or  
3 quit deed where the property is no  
4 longer a problem, like, I am for that.  
5 I would rather just see that it be  
6 clean and nobody ever worry about it  
7 again. That is probably the smart way  
8 out. I don't know if that is. I'm a  
9 layperson. I don't know what those  
10 legalities are.

11 CHAIRMAN CONN: For myself, and I  
12 think the rest of the Board, I won't  
13 speak for them, but I think I know  
14 where they stand, we just want final  
15 written clarification on that who is  
16 responsible, who is liable, where does  
17 it begin and end, that is it.

18 MR. MAZZA: Okay, appreciate it.

19 MR. MESSINA: Appreciate your  
20 help, and we will be in touch. We will  
21 try to prevail.

22 CHAIRMAN CONN: Thank you.  
23 Anything else?

24 MS. FLYNN: Yes, there is  
25 something else. For the board --

1 JOHN MAZZA - WORKSHOP

2 CHAIRMAN CONN: You don't need  
3 Carmen; right?

4 MS. FLYNN: No.

5 MR. MEKEEL: Let's finish up.

6 MS. FLYNN: Oh, I'm sorry.

7 CHAIRMAN CONN: Let's close the  
8 meeting.

9 MR. MEKEEL: I make a motion that  
10 we close the meeting.

11 MR. BARTOLOTTI: Second.

12 CHAIRMAN CONN: All in favor?

13 MR. MEKEEL: Aye.

14 MR. BARTOLOTTI: Aye.

15 MR. NIKOLA: Aye.

16 MR. SALINOVICH: Aye.

17 CHAIRMAN CONN: Aye.

18 (Whereupon, at 6:44 P.M., the  
19 Hearing was concluded.)

20

21 ° ° ° °

22

23

24

25

1 JOHN MAZZA - WORKSHOP

2 C E R T I F I C A T E

3  
4 STATE OF NEW YORK )  
5 COUNTY OF ULSTER ) : SS.:  
6

7 I, LISA M. ROSSO, a Notary Public for  
8 and within the State of New York, do hereby  
9 certify:

10 That I was authorized to and did  
11 stenographically report the foregoing  
12 proceedings, and that the transcript is a  
13 true record.

14 I further certify that I am not related  
15 to any of the parties to this action by  
16 blood or by marriage and that I am in no way  
17 interested in the outcome of this matter.

18 IN WITNESS WHEREOF, I have hereunto set  
19 my hand this 14th day of May 2024.  
20

21  
22 \_\_\_\_\_  
LISA M. ROSSO  
23  
24  
25

**LISA MARIE ROSSO - (845) 674-3937**